

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PATRICK SMITH,

Plaintiff,

v.

CALPIA, *et al.*,
Defendants.

Case No. 2:24-cv-0117-KJM-JDP (P)

ORDER

On April 30, 2025, I recommended that plaintiff's second amended complaint be dismissed without leave to amend for failure to state a claim. ECF No. 24. While those recommendations were pending, plaintiff filed a motion for extension of time to file a third amended complaint. ECF No. 25. Plaintiff argues that he will state a cognizable claim should the court allow him another opportunity to amend. *Id.* at 2. In light of plaintiff's representation and his pro se status, I will vacate the April 30, 2025 findings and recommendations and grant plaintiff until June 13, 2025 to file a third amended complaint.

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. Plaintiff's motion for an extension of time, ECF No. 25, is granted;
- 3 2. Plaintiff is granted until June 13, 2025 to file a third amended complaint.
- 4 3. The April 30, 2025 findings and recommendations, ECF No. 24, are vacated.

5 IT IS SO ORDERED.

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7 Dated: May 21, 2025



JEREMY D. PETERSON

8 UNITED STATES MAGISTRATE JUDGE

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